Carey L. Sienkiewicz (Pro Hac Vice) AHERN & KILL 430 N. Old Woodward Ave., 2nd Floor Binningham, MI 48009 (248) 723-6101 G. Mark Albright, Esq. Nevada Bar No. 001394 ALBRIGHT, STODDARD, WARNICK & ALBRIGHT 801 S. Rancho Drive, Suite D-4 Las Vegas, Nevada 89106 gma@albrightstoddard.com Attorneys for Plaintiff/Counter-Defendant Softwind Capital LLC and Third Party Defendants Clayton Straub and Tim Donmoyer 10 UNITED STATES DISTRICT COURT 11 12 DISTRICT OF NEVADA SOFTWIND CAPITAL, LLC, an Arizona CASE NO. 2:11-CV-02057-JCM-GWF 13 limited liability company, 14 Plaintiff, 15 VOLUNTARY DISMISSAL ν. 16 GLOBAL PROJECT SOLUTIONS, LLC, a AND 17 Nevada limited liability company, ERIC BROMENSHENKEL, JOYĆE ORDER FOR DISMISSAL KNOBLAUCH, CINDY RISINGER, BO 18 BINGHAM, DURSUM KERANOVIC, and 19 SANJAY IJERY 20 Defendants. 21 AND RELATED CLAIMS. 22 23 COME NOW, the following parties: Softwind Capital LLC ("Softwind"), Clayton Straub, 24 Tim Donmoyer, Global Project Solutions LLC ("GPS"), Eric Bromenshenkel, Joyce Knoblauch, Cindy Risinger, and Bo Bingham and submit the following Voluntary Dismissal and Order for 25 26 Dismissal, with prejudice: 27 RECITALS 28 This case arises from a certain financial transaction that was to be administered by 1. 4829-2196-3799.2

- 2. Softwind, Donmoyer, Straub, Bingham, Bromenshenkel, Knoblauch, and Risinger invested or contributed money, directly or indirectly, towards the transaction or towards setting up the transaction. The agreement between these parties provided that each understood the risks of the transaction, was willing to accept those risks, and each was to conduct their own due diligence concerning the transaction.
- 3. Keranovic, Ijery, and Kabbadias failed to complete the transaction and failed to return the funds.
- 4. Softwind initiated this matter on December 21, 2011 with the filing of its Complaint. Softwind brought claims against GPS, Bromenshenkel, Knoblauch, Risinger, and Bingham alleging they were at fault for the failed transaction. Bingham, Bromenshenkel, Knoblauch, and Risinger denied Softwind's claims and asserted claims against Softwind, Straub, and Donmoyer for defamation and abuse of process based on Softwind's allegations that, Bromenshenkel, Knoblauch, Bingham, and Risinger were responsible for the failed transaction.
- 5. During the course of these proceedings certain financial documents were produced evidencing that none of the money contributed to the transaction ever went to Bingham, Knoblauch, or Risinger.
- 6. The parties have agreed to voluntarily dismiss this matter, in its entirety, with prejudice.

WHEREFORE, Softwind, Straub, Donmoyer, GPS, Bromenshenkel, Knoblauch, Risinger, and Bingham (collectively the "STIPULATING PARTIES") now enter into the following stipulations:

STIPULATIONS

The STIPULATING PARTIES agree and stipulate as follows:

1. That the STIPULATING PARTIES each waive, release and forever discharge any and all actual or potential claims, counter-claims, cross-claims, or third party claims arising out of the failed transaction and which have been asserted in this case; and

4829-2196-3799.2

1	2. That the above-entitled action shal	l be dismissed in its entirety with prejudice, pursuant
2	to FRCP 41, with each party to bear its own attor	rneys fees and costs.
3	Dated this 10th day of December 20	013.
4	LEWIS BRISBOIS BISGAARD & SMITH LLP	ALBRIGHT, STODDARD, WARNICK & ALBRIGHT
5	hu 11 57	hv
6	Marc S. Cwik, Esq., NV Bar No. 6946	by G. Mark Albright, Esq., Nevada Bar No. 1394
7	Adam J. Pernsteiner, Esq., NV Bar No.7862 6385 S. Rainbow Blvd., Suite 600	801 S. Rancho Drive, Suite D-4 Las Vegas, Nevada 89106
8	Las Vegas, NV 89118	Attorneys for Plaintiff/Counter-Defendant
9	Attorneys for Defendant Bo Bingham	Softwind Capital LLC and Third Party Defendants Clayton Straub and Tim Donmoyer
10	GLOBAL PROJECT SOLUTIONS, LLC	AHERN & KILL
11	Li Dromenshy	AIIERI & KILL
12	By: Eric Bromenshenkel, Member	by Carey L. Sienkiewicz,
13		430 N. Old Woodward Ave., 2nd Floor
	By: Joyce Knoblauch, Member	Birmingham, MI 48009 Attorneys for Plaintiff/Counter-Defendant
14 15	By: Cindy Risinger, Member	Softwind Capital LLC and Third Party Defendants Clayton Straub and Tim Donmoyer
16		JOYCE KNOBLAUCH
17	By: Bo Bingham, Member	
18	BO BINGHAM	Defendant, Counterclaimant, Cross-Claimant, Third Party Plaintiff Joyce Knoblauch (pro se)
19	Counterclaimant, Cross-Claimant,	ERIC BROMENSHENKEL
20	Third Party Plaintiff (pro se)	
21	CINDY RISINGER	Defendant, Counterclaimant,
22		Cross-Claimant, Third Party Plaintiff (pro se)
23	Defendant, Counterclaimant, Cross-Claimant,	(
24	Third Party Plaintiff Cindy Risinger (pro se)	
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1	2. That the above-entitled action shal	I be dismissed in its entirety with prejudice, pursuant
2	to FRCP 41, with each party to bear its own attor	rneys fees and costs.
3	Dated this day of 20	113.
4	LEWIS BRISBOIS BISGAARD & SMITH LLP	ALBRIGHT, STODDARD, WARNICK & ALBRIGHT
5	h	by
6	by Marc S. Cwik, Esq., NV Bar No. 6946	G. Mark Albright, Esq., Nevada Bar No. 1394
7	Adam J. Pernsteiner, Esq., NV Bar No.7862 6385 S. Rainbow Blvd., Suite 600	801 S. Rancho Drive, Suite D-4 Las Vegas, Nevada 89106
8	Las Vegas, NV 89118 Attorneys for Defendant Bo Bingham	Attorneys for Plaintiff/Counter-Defendant Softwind Capital LLC and Third Party Defendants Clayton Straub and Tim Donmoyer
10	GLOBAL PROJECT SOLUTIONS, LLC	AHERN & KILL
11	By: Eric Bromenshenkel, Member	by
12		Carey L. Sienkiewicz, 430 N. Old Woodward Ave., 2nd Floor
13	By: Joyce Knoblauch, Member	Birmingham, MI 48009 Attorneys for Plaintiff/Counter-Defendant
14 15	By: Cindy Risinger, Member	Softwind Capital LLC and Third Party Defendants Clayton Straub and Tim Donmoyer
16		JOYCE KNOBLAUCH
17	By: Bo Bingham, Member	
18	BO BINGHAM	Defendant, Counterclaimant, Cross-Claimant, Third Party Plaintiff Joyce Knoblauch (pro se)
19	Counterclaimant, Cross-Claimant,	ERIC BROMENSHENKEL
20	Third Party Plaintiff (pro se)	
21	CINDY RISINGER	Defendant, Counterclaimant,
22	Eine Diginar	Cross-Claimant, Third Party Plaintiff (pro se)
23	Defendant, Counterclaimant, Cross-Claimant, Third Party Plaintiff Cindy Risinger (pro se)	
24	Time Farty Frament Cindy Risinger (pro se)	
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1	2. That the above-entitled action sh	nall be dismissed in its entirety with prejudice, pursuant
2	to FRCP 41, with each party to bear its own att	
3	Dated this day of	
4	LEWIS BRISBOIS BISGAARD & SMITH LLP	ALBRIGHT, STODDARD, WARNICK & ALBRIGHT
5	by	by
6	Marc S. Cwik, Esq., NV Bar No. 6946 Adam J. Pernsteiner, Esq., NV Bar No.7862	G. Mark Albright, Esq., Nevada Bar No. 1394 801 S. Rancho Drive, Suite D-4
7	6385 S. Rainbow Blvd., Suite 600	Las Vegas, Nevada 89106
8	Las Vegas, NV 89118 Attorneys for Defendant Bo Bingham	Attorneys for Plaintiff/Counter-Defendant Softwind Capital LLC and Third Party
9	GLOBAL PROJECT SOLUTIONS, LLC	Defendants Clayton Straub and Tim Donmoyer
10	GEODAL I ROJECT SOLUTIONS, LLC	AHERN & KILL
11	By: Eric Bromenshenkel, Member	by
12		Carey L. Sienkiewicz, 430 N. Old Woodward Ave., 2nd Floor
13	By: Joyce Knoblauch, Member	Birmingham, MI 48009
14		Attorneys for Plaintiff/Counter-Defendant Softwind Capital LLC and Third Party
15	By: Cindy Risinger, Member	Defendants Clayton Straub and Tim Donmoyer
16	By: Bo Bingham, Member	JOYCE KNOBLAUCH
17		
18	BO BINGHAM	Defendant, Counterclaimant, Cross-Claimant, Third Party Plaintiff Joyce Knoblauch (pro se)
19	Counterclaimant, Cross-Claimant,	ERIC BROMENSHENKEL
20	Third Party Plaintiff (pro se)	ERIC DROMENSHERIKED
21	CINDY RISINGER	Defendant, Counterclaimant,
22		Cross-Claimant, Third Party Plaintiff (pro se)
23	Defendant, Counterclaimant, Cross-Claimant, Third Party Plaintiff Cindy Risinger (pro se)	
24	Time Faity Flament Chieg Kishiger (pro se)	
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1	That the above-entitled action s.	hall be dismissed in its entirety with prejudice, pursuant
2	to FRCP 41, with each party to bear its own at	ttorneys fees and costs.
3	Dated this day of	2013.
4	LEWIS BRISBOIS BISGAARD	ALBRIGHT, STODDARD, WARNICK & ALBRIGHT
5	& SMITH LLP	
6	by Marc S. Cwik, Esq., NV Bar No. 6946	by Albright, Esq., Nevada Bar No. 1394
7	Adam J. Pernsteiner, Esq., NV Bar No.7862 6385 S. Rainbow Blvd., Suite 600	801 S. Rancho Drive, Suite D-4 Las Vegas, Nevada 89106
8	Las Vegas, NV 89118	Attorneys for Plaintiff/Counter-Defendant
9	Attorneys for Defendant Bo Bingham	Softwind Capital LLC and Third Party Defendants Clayton Straub and Tim Donmoyer
10	GLOBAL PROJECT SOLUTIONS, LLC	AHERN & KILL
11		
12	By: Eric Bromenshenkel, Member	byCarey L. Sienkiewicz,
13	By: Joyce Knoblauch, Member	430 N. Old Woodward Ave., 2nd Floor Birmingham, MI 48009
14		Attorneys for Plaintiff/Counter-Defendant Softwind Capital LLC and Third Party
15	By: Cindy Risinger, Member	Defendants Clayton Straub and Tim Donmoyer
16		JOYCE KNOBLAUCH
17	By: Bo Bingham, Member	
18	BO BINGHAM	Defendant, Counterclaimant, Cross-Claimant, Third Party Plaintiff Joyce Knoblauch (pro se)
19 20	Counterclaimant, Cross-Claimant, Third Party Plaintiff (pro se)	ERIC BROMENSHENKEL
21	CINDY RISINGER	Defendant, Counterclaimant, Cross-Claimant, Third Party Plaintiff (pro se)
23	Defendant, Counterclaimant, Cross-Claimant, Third Party Plaintiff Cindy Risinger (pro se)	
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1	That the above-entitled action shall	ll be dismissed in its entirety with prejudice, pursuant
2	to FRCP 41, with each party to bear its own attor	rneys fees and costs.
3	Dated this day of 20	013.
4	LEWIS BRISBOIS BISGAARD & SMITH LLP	ALBRIGHT, STODDARD, WARNICK & ALBRIGHT
5	SIVILLI EE	ADDITION
6	by Marc S. Cwik, Esq., NV Bar No. 6946	by G. Mark Albright, Esq., Nevada Bar No. 1394
7	Adam J. Pernsteiner, Esq., NV Bar No.7862 6385 S. Rainbow Blvd., Suite 600	801 S. Rancho Drive, Suite D-4 Las Vegas, Nevada 89106
8	Las Vegas, NV 89118	Attorneys for Plaintiff/Counter-Defendant
9	Attorneys for Defendant Bo Bingham	Softwind Capital LLC and Third Party
	GLOBAL PROJECT SOLUTIONS, LLC	Defendants Clayton Straub and Tim Donmoyer
10	GBOBINI TROUBET SOBETIONS, BEE	AHERN & KILL
11	By: Eric Bromenshenkel, Member	by
12	By. Die Bromensnerker, Weineer	Carey L. Sienkiewicz,
13	By: Joyce Knoblauch, Member	430 N. Old Woodward Ave., 2nd Floor Birmingham, MI 48009
14		Attorneys for Plaintiff/Counter-Defendant
15	By: Cindy Risinger, Member	Softwind Capital LLC and Third Party Defendants Clayton Straub and Tim Donmoyer
16		IOVCE VNODI AUCH
	By: Bo Bingham, Member	JOYCE KNOBLAUCH
17	BO BINGHAM	Defendant, Counterclaimant, Cross-Claimant,
18	bo bindham	Third Party Plaintiff Joyce Knoblauch (pro se)
19	Counterclaimant, Cross-Claimant,	ERIC BROMENSHENKEL
20	Third Party Plaintiff (pro se)	ERIC BROWLENSHENREL
21	CINDY RISINGER	Defendant, Counterclaimant,
22		Cross-Claimant, Third Party Plaintiff
23	Defendant, Counterclaimant, Cross-Claimant,	(pro se)
24	Third Party Plaintiff Cindy Risinger (pro se)	
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1 **ORDER** 2 Upon review of the above Recitals and Stipulations, and good cause appearing, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the parties each waived, 3 released and forever discharged any and all actual or potential claims, counter-claims, cross-claims, or 4 third party claims arising out of the allegations in the Plaintiff's Complaint on file herein; and 5 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that the above-6 entitled action is dismissed in its entirety WITH PREJUDICE, pursuant to FRCP 41, with each party bearing its own costs and attorneys fees. 8 Dated December 26, 2013. 9 10 United States District Court Judge 11 12 ALBRIGHT, STODDARD, WARNICK & ALBRIGHT 13 14 G. Mark Albright, Esq. Nevada Bar No. 1394 15 801 S. Rancho Drive, Suite D-4 16 Las Vegas, Nevada 89106 Attorneys for Plaintiff/Counter-Defendant 17 Softwind Capital LLC and Third Party Defendants Clayton Straub and Tim Donmoyer 18 19 AHERN & KILL 20 21 Carey L. Sienkiewicz (Pro Hac Vice) 430 N. Old Woodward Ave., 2nd Floor 22 Birmingham, MI 48009 23 Attorneys for Plaintiff/Counter-Defendant Softwind Capital LLC and Third Party 24 Defendants Clayton Straub and Tim Donmoyer 25 26 27 28

<u>CERTIFICATE OF SERVICE</u>

Pursuant to FRCP 5(b), I certify that I am an employee of LEWIS BRISBOIS BISGAARD & SMITH LLP and that on this 20th day of December, 2013, I did cause a true copy of the foregoing **VOLUNTARY DISMISSAL AND ORDER FOR DISMISSAL** to be sent via **United States Mail**, **First Class Mail International**, addressed as follows:

Attorney	Party	Phone/Fax
Dursum Keranovic	Dursum Keranovic	1 905 341 2378
2520 Woodfield Avenue		ļ
Niagara Falls, ON		ļ
L2J 3B1		
CANADA		

I further certify that I did cause a true copy of the foregoing VOLUNTARY DISMISSAL AND ORDER FOR DISMISSAL to be placed in the United States Mail, first class postage prepaid thereon, addressed as follows:

Attorney	Party	Phone/Fax
G. Mark Albright, Esq. Albright, Stoddard, Warnick & Albright	Attorneys for Plaintiff/Counter Defendant Softwind Capital	(702) 384-7111
801 South Rancho Drive, Suite D-4 Las Vegas, NV 89106	LLC and Third-Party Defendants Clayton Straub and Tim Donmoyer	(702) 384-0605 Fax
Joseph A. Ahern, Esq. Carey L. Sienkiewicz, Esq. (Pro Hac Vice)	Attorneys for Plaintiff/Counter Defendant Softwind Capital	(248) 723-6101
Ahern & Kill	LLC and Third-Party	(248) 723-6102 Fax
430 North Old Woodward, Second Floor Birmingham, MI 48009	Defendants Clayton Straub and Tim Donmoyer	
Global Project Solutions, LLC 840 Pinnacle Court, Suite 202 Mesquite, NV 89027	In Proper Person	
Joyce Knoblauch 10581 Co Road 95 Sauk Centre, MN 56378	In Proper Person	
Cindy Risinger 675 LaScala Drive Mesquite, NV 89027	In Proper Person	

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Attorney Party Phone/Fax Eric Bromenshenkel In Proper Person 1580 East Riverview Drive Phoenix, AZ 85034 nuch By An Employee of LEWIS BRISBOIS BISGAARD & SMITH LLP